

UNITED STATES DISTRICT COURT

for the
Middle District of North Carolina

In the Matter of the Search of

*(Briefly describe the property to be searched
or identify the person by name and address)*

1139 Lawson Chapel Church Road, Roxboro, Person
County, NC 27574

Case No. 1:24MJ442-1

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

See Attachment A, incorporated by reference

located in the Middle District of North Carolina, there is now concealed *(identify the person or describe the property to be seized)*:

see Attachment B, incorporated by reference

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(o)	Possession or Transfer of unregistered machinegun
26 U.S.C. § 5861(d)	Possession, transfer, receive, or make an unregistered machinegun

The application is based on these facts:

See attached Affidavit in Support of Search Warrant to Search and Seize.

☒ Continued on the attached sheet.

☐ Delayed notice of days *(give exact ending date if more than 30 days)*: is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

/s/ Special Agent Thomas J. Laughlin

Applicant's signature

Special Agent Thomas J. Laughlin

Printed name and title

On this day, the applicant appeared before me via reliable electronic means, that is by telephone, was placed under oath, and attested to the contents of this Application for a search warrant in accordance with the requirements of Fed. R. Crim. P. 4.1.

Date: 11/14/2024 12:47 pm

City and state: Durham, North Carolina



Judge's signature

Joe L. Webster, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

IN THE MATTER OF THE SEARCH OF
THE PREMISES LOCATED AT 1139
LAWSON CHAPEL CHURCH ROAD,
ROXBORO, NC 27574

Case No. 1:24MJ442-1

Filed Under Seal

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Thomas J. Laughlin, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), and have been since February 2023. I am currently assigned to the Charlotte Field Division, Greensboro I Field Office. I am a graduate of the Federal Law Enforcement Training Center (“FLETC”) Criminal Investigator Training Program, as well as the ATF National Academy, where I received extensive training in the investigation of firearms, controlled substances, arson, and explosives offenses. Prior to my career with ATF, I worked for the Bristol, Tennessee Police Department for approximately eleven years. During my tenure with the Bristol, Tennessee Police Department, I served as a patrol officer, field training officer, detective, and background investigator. I graduated from East Tennessee State University in December of 2011 with a Bachelor of Science degree in Criminal Justice. Also, I graduated from Carson-Newman University in May of 2020 with a Master of Business Administration degree.

2. During my career in law enforcement, I have conducted and participated in numerous complex case investigations involving federal and state firearms and controlled substance violations. In furtherance of these investigations, I have utilized multiple investigative

techniques including but not limited to physical and electronic surveillance, controlled purchases of evidence, management of confidential informants, forensic examination of electronic devices, and the seizure of electronically stored communications. I have experience monitoring and gathering information received from court ordered interception of wire and electronic communication, pen register and/or trap and trace device, real time GPS and geo-location information, historical call detail records, and vehicle GPS monitoring. I have participated in the execution of numerous search warrants authorizing the seizure of evidence in criminal investigations. Through this experience, I have been able to successfully gather criminal intelligence and utilize this information in furtherance of ongoing criminal investigations.

3. Based on my training, knowledge, and experience, I have become familiar with the following: (1) the manner in which firearms traffickers (a) transport, store, and distribute firearms, and (b) collect, keep, and conceal the proceeds of their illegal activities; and (2) the ways in which firearms traffickers use cellular telephones, electronic communications, internet service providers, social media, coded communications or slang during telephone conversations, false or fictitious identities, and other means to facilitate their illegal activities and thwart law enforcement investigations.

4. Additionally, through my training and experience, my conversations with other agents, and my participation in firearms trafficking investigations, I am aware that:

- a) Those who own and possess firearms and ammunition generally maintain possession of them for long periods of time.

- b) Persons who own firearms generally keep them on their persons, in their residences, in outbuildings on their property, in motor vehicles, or in other places where they commonly store their personal property.
- c) Owners of firearms generally maintain and preserve them over long periods of time for various reasons including, but not limited to the fact that firearms are somewhat expensive, there is an administrative delay in buying them (particularly true for convicted felons who must obtain firearms by subterfuge), and firearms do not easily wear out.
- d) Firearms are not depleted through use, nor are they typically exchanged immediately after being obtained. Additionally, well maintained firearms are not likely to depreciate in value. Firearms are like expensive tools, which their owners keep and maintain over long periods of time.
- e) Firearms and ammunition are generally stored in or about the owner's residence, business, or vehicles because these are places that provide for easy access. These locations also provide an environment where they will be secure from theft, as well as safe from rust and corrosion.
- f) Owners of firearms tend to store them in locations which provide easy access to perform routine maintenance. In the residence, business, vehicle, and on the person, the firearm is also readily available in the event the need for its use arises.
- g) Owners of firearms generally retain certain documents relating to those purchases, such as sales receipts, inventory of, factory warranties, canceled checks, debit or

credit card receipts, and other miscellaneous documents among their personal property.

- h) Also, almost without exception, individuals who possess firearms also possess related items such as gun cases, ammunition, gun cleaning supplies and equipment, related to the care and maintenance of the firearms.

5. The facts set forth in this affidavit are based upon my personal knowledge of this investigation, conversations with law enforcement officers and other individuals who have personal knowledge of the events and circumstances described herein, review of reports, documents, and recordings created by others, as well as information that I gained through training and experience. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

6. Based on my training and experience and the facts as set forth in this affidavit, I submit there is probable cause to believe that a violation of Title 18 U.S.C. § 922(o) [Unlawful Possession of a Machinegun] have been committed by Richard Eugene MOORE. There is also probable cause to search the property described in Attachment A for evidence of these crimes further described in Attachment B.

TECHNICAL BACKGROUND

Definition of a "Firearm"

7. As defined by Title 18 U.S.C. § 921(a)(3), the term "**firearm**" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any

firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

Definition of Frame or Receiver

8. As defined by 27 CFR 478.12, the term “**frame**” means that part of a handgun, or variants thereof, that provides housing or a structure for the primary energized component designed to hold back the hammer, striker, bolt, or similar component prior to initiation of the firing sequence (i.e., sear or equivalent), even if pins or other attachments are required to connect such component to the housing or structure.

9. The term “**receiver**” means that part of a rifle, shotgun, or projectile weapon other than a handgun, or variants thereof, that provides housing or a structure for the primary component designed to block or seal the breech prior to initiation of the firing sequence (i.e., bolt, breechblock, or equivalent), even if pins or other attachments are required to connect such component to the housing or structure.

10. The terms “**variant**” and “**variants thereof**” mean a weapon utilizing a similar frame or receiver design irrespective of new or different model designations or configurations, characteristics, features, components, accessories, or attachments. For example, an AK-type firearm with a short stock and a pistol grip is a pistol variant of an AK-type rifle, an AR-type firearm with a short stock and a pistol grip is a pistol variant of an AR-type rifle, and a revolving cylinder shotgun is a shotgun variant of a revolver.

Definition of a ‘Machinegun’

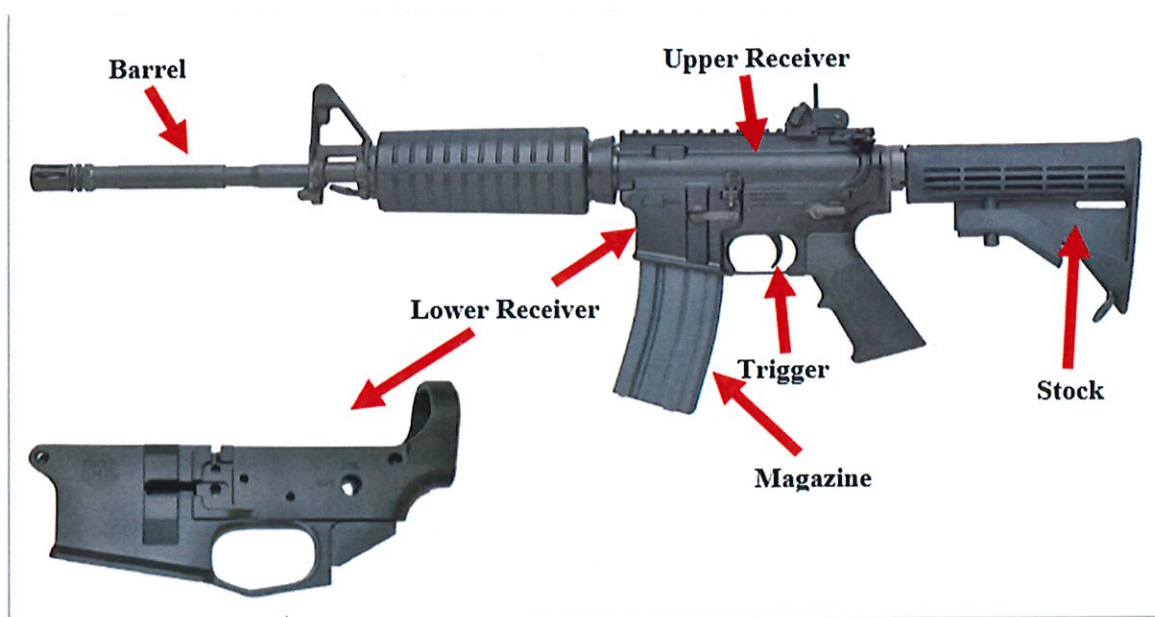
11. Title 26 U.S.C. § 5845(b) defines “machinegun” as “...any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.

Basic Firearm Nomenclature (AR-Style Rifle)

12. Image 1 is a stock photograph of an AR-style rifle unrelated to this investigation. Although a rifle consists of many parts, I have labeled six basic parts of this rifle for educational and reference purposes.

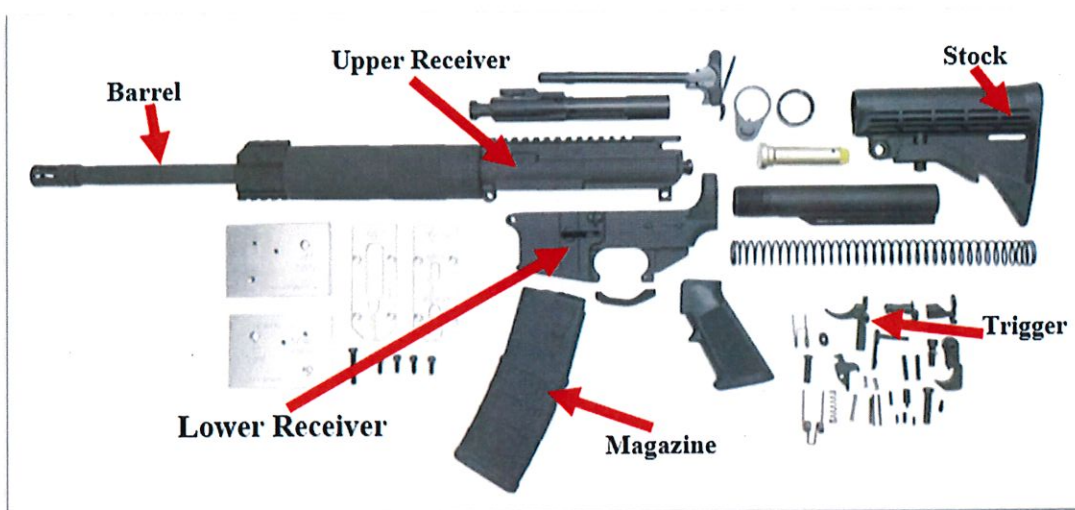
\

Image 1 (unrelated to this case)



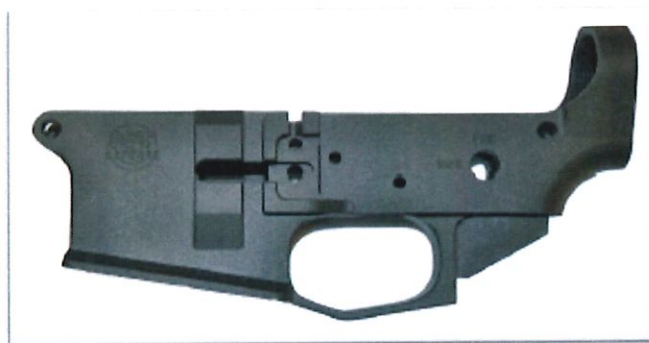
13. Image 2 depicts a disassembled AR-style rifle. This AR-style rifle is slightly different than the above image. This image has been utilized to further isolate the individual parts of an AR-style rifle. This firearm is also unrelated to this investigation.

Image 2 (unrelated to this case)



14. Most firearm parts (i.e., stocks, barrels, triggers, magazines, etc.) are not subject to ATF regulation. These parts are often made and sold by individuals, small businesses, and/or well-known retailers. They are sold in store or online with almost no parameters. These firearm parts can be bought and sold without sales reporting or background checks. However, the lower receiver of a rifle or an AR-style pistol is different. As discussed in paragraph 7, a lower receiver is a “firearm” and is regulated as such. Meaning, the ATF regulates and controls the lower receiver alone just like a completed firearm. This also means the ATF regulates the manufacture, sale, transfer, and disposition of lower receivers. Image 3 depicts a lower receiver for an AR-style rifle.

Image 3 (unrelated to this case)



Federal Firearms License (FFL)

15. A person who manufactures and sells firearms is required to hold a federal firearms license (“FFL”) in accordance with Title 18 U.S.C. § 923(a). As an FFL, the licensee is required to mark the firearms the FFL manufactures in accordance with Title 18 U.S.C. § 923(i) and its implementing regulation at 27 C.F.R. § 478.92, which prescribes the identifying markings (including serial number and manufacturer name) and the way each firearm is to be marked. Additionally, Title 18 U.S.C. § 923(g)(1)(A) and its implementing regulation at 27 C.F.R. § 478.123 prescribe record keeping requirements to ensure the licensee records specified information regarding the firearms’ place of manufacture and the information to whom the firearms are transferred.

16. Upon transfer of a firearm to a person who does not hold an FFL, the licensee transferring the firearm is required to complete a Firearms Transaction Record (ATF Form 4473) and initiate a background check on the non-licensed individual in accordance with Title 18 U.S.C. § 923(g)(1)(A) and Title 18 U.S.C. § 922(t) and their implementing regulations at 27 C.F.R. §§ 478.124 and 478.102.

17. Individuals are permitted to manufacture a firearm for personal use without first obtaining a FFL, provided the firearm is not for sale and the person who made the firearm is not otherwise prohibited from possessing firearms. The requirement to hold a license when manufacturing and/or selling firearms applies to any person who is engaging in the business of manufacturing and/or selling firearms. Thus, only an FFL can manufacture a firearm for sale or transfer.

PROBABLE CAUSE

Case Initiation

18. In On February 22, 2024, ATF Task Force Officer Jacob Hinckle informed ATF Special Agent (S/A) Thomas Laughlin about a video of a man firing what appears to be a machinegun. The video was posted on a private Facebook group named "Guns and More NC." The video was posted on February 16, 2024 at 05:18 am by "Ricky Moore." TFO Hinckle advised that MOORE resides in Person County, NC. Ricky Moore was determined to be Richard Eugene MOORE (W/M, 09/07/1984).

19. S/A Laughlin reviewed the video on the same day. The video has the caption "35 round mag dump." When MOORE posted the video to the group, he included the caption "PSA AKV is a demon (purple demon emoji)." MOORE loads the firearm, charges it, shoulders the butt stock, and proceeds to expend all the ammunition into the ground in front of him. The rifle appears to function as a machinegun. When all ammunition is expended, MOORE removes the magazine, charges the firearm, and then places the magazine back into the firearm. The background behind MOORE is trees and green vegetation. During the video, MOORE is wearing a white Nike hat with a dark check mark on the front, a red Hurley cut off tank top, blue athletic shorts, and black/gray shoes. The entire video is thirty seconds.

20. The man depicted in the video described above matches pictures of the man who posted the video, Richard "Ricky" MOORE. Upon inspecting MOORE's Facebook account, <https://www.facebook.com/SoBoRickyMoMo>, there are several things that led TFO Hinckle and S/A Laughlin to believe he resides in Roxboro, Person County, NC including "check-ins" at Bullpen Fitness (Roxboro), Person County Courthouse (Roxboro), Bethel Hill Charter School

(Roxboro). Also, there are several recent videos of MOORE lifting weights with Bullpen Fitness tagged in the videos. MOORE's Facebook profile shows he is married to Gina Guthrie Moore. A check of TLO shows Richard and Gina MOORE to reside at 1139 Lawson Chapel Church Road in Roxboro, NC. This is a county address.

21. S/A Laughlin compared the firearm MOORE possessed in the video with models available on Palmetto State Armory's website. MOORE's firearm appears similar to the PSA AK-V with a triangle folding stock. S/A Laughlin contacted Palmetto State Armory to inquire about MOORE purchasing this firearm. A representative requested MOORE's name. That representative advised that MOORE purchased a Palmetto State Armory AK-V 9mm pistol, bearing serial number AKV027517. The firearm was shipped from Palmetto State Armory to Rock City Guns in Roxboro, North Carolina. S/A Laughlin obtained a copy of the ATF Form 4473 from the purchase. The firearm was transferred to MOORE on November 15, 2022. A National Instant Criminal Background Check System (NICS) was not completed due to MOORE having a current, valid handgun permit (NC491837). The firearm transfer was completed by the owner of the store, Richard Dixon.

22. MOORE does not have a Federal Firearms License, as described in paragraphs 15-17. Also, MOORE purchased the Palmetto State AK-V new in 2022; therefore, the firearm was manufactured after May 19, 1986. The Firearm Owners' Protection Act amended the Gun Control Act of 1968 (GCA) to prohibit the transfer or possession of machine guns. Exceptions were made for transfers of machine guns to, or possession of machine guns by, government agencies, and those lawfully possessed before the effective date of the prohibition, May 19, 1986. In summary,

MOORE's firearm was not manufactured as a machinegun and had to have been converted once he took possession.

23. S/A Laughlin contacted Person County Sheriff's Office dispatch to verify the phone number TLO provided for MOORE. The dispatcher advised that on May 1, 2023, they received a call from 1139 Lawson Chapel Church Road from (434) 579-3366. This is the top number listed in TLO for MOORE.

Grand Jury Subpoena

24. On March 15, 2024, the grand jury for the Middle District of North Carolina provided me with a grand jury subpoena. The grand jury subpoena requested that Apple provide all Apple IDs associated with the phone number (434) 579-3366; hereafter, named "target phone number."

25. On April 4, 2024, S/A Laughlin received a response from Apple in reference to the grand jury subpoena. It identified three email accounts as being associated with the target phone number. Those are slickrick0084@yahoo.com, bonehead.22522@yahoo.com, and ginebeana2004@yahoo.com. Subscriber information showed that slickrick0084@yahoo.com was associated with an Apple iPhone 11. Subscriber information showed

bonehead.22522@yahoo.com to be associated with Richard Moore. Subscriber information showed ginebeana2004@yahoo.com to be associated with Gina Moore.

Apple iCloud Search Warrant

26. I drafted a search warrant to authorize a review of electronically stored information, communications, other records and information stored on MOORE's iCloud account.

27. On May 10, 2024, the Hon. Joe L. Webster, United States Magistrate Judge for the Middle District of North Carolina, issued the search warrant and non-disclosure order.

28. On May 10, 2024, S/A Laughlin served the search warrant on Apple via email.

29. On May 16, 2024, Apple responded and provided the information requested in the search warrant to S/A Laughlin. S/A Laughlin forwarded this information to Bureau of Alcohol, Tobacco, Firearms, and Explosives Intelligence Research Specialist (IRS) R. Brandon Wilmoth.

30. IRS Wilmoth created a document, "Intel Notes from Apple Return_MOORE.pdf," using pictures and videos from MOORE's iCloud account. Using those pictures and videos, IRS Wilmoth was able to show that there was a Palmetto State Armory AK-V with a Primary Arms ACSS Gemini sight inside MOORE's residence.

31. IRS Wilmoth's observations are found in the document below.

3 ScreenShots taken from video (A414D1D5-D576-40B2-AC78-613174263C5A): CLOUDPHOTOLIBRARY-16143860\1792333594\1242721\slickrick0084@yahoo.com-1242721\cloudphotolibrary_PersonalLibrary



32.

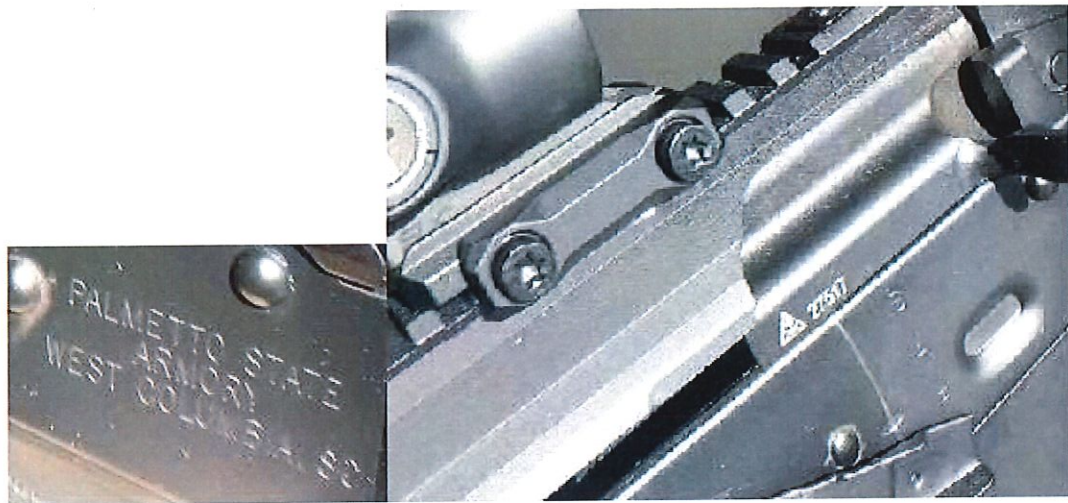
Screenshot from video (IMG_9237) showing what appears to be fully automatic fire rate:



ScreenShot taken from video (IMG_7753): 1242721-CLOUDPHOTOLIBRARY-16143827\1792333594\1242721\slickrick0084@yahoo.com-1242721\cloudphotolibrary\PersonalLibrary

Shows RV and Kayaks





ScreenShot taken from a parent home security Video (RPreplay_Final1673299510): 1242721-CLOUDPHOTOLIBRARY-16143815\1792333594\1242721\sllickrick0084@yahoo.com-1242721\cloudphotolibrary_Personallibrary



Picture (IMG_7053): 1242721-CLOUDPHOTOLIBRARY-16143816\1792333594\1242721\slickrick0084@yahoo.com-1242721\cloudphotolibrary_Personallibrary. Shows shipping address: 1139 Lawson Chapel Church Rd, Roxboro.

7:54



< Inbox

Rogue Fitness: New Ord... ^ v

ORDER INFORMATION

Order Number	Order Date	Shipping Method
USC18027894	February 4, 2023 at 07:50 PM EST	UPS

Shipping Address	Billing Address	Payment Method
Richard Moore 1139 Lawson Chapel Church Rd Roxboro, NC, 27574, US	Richard Moore 1139 Lawson Chapel Church Rd Roxboro, NC, 27574, US	Paypal

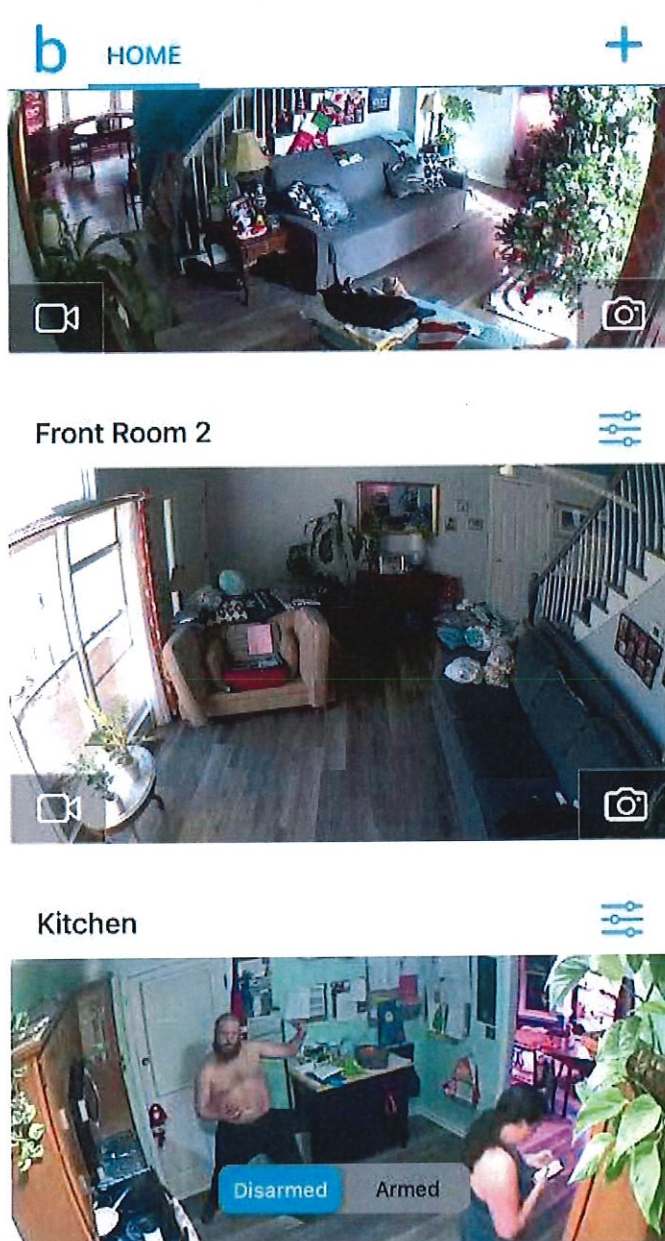
ITEMS ORDERED

ITEM	DESCRIPTION	SKU	QTY	TOTAL
	Rogue 13mm Powerlifting Belt - XL Size: XL	WL0005-XL	1	\$155.00
	Compete Every Day Women's Muscle Tank - L Women's Shirt Size: L	CM0078-L	1	\$26.00

ORDER SUMMARY

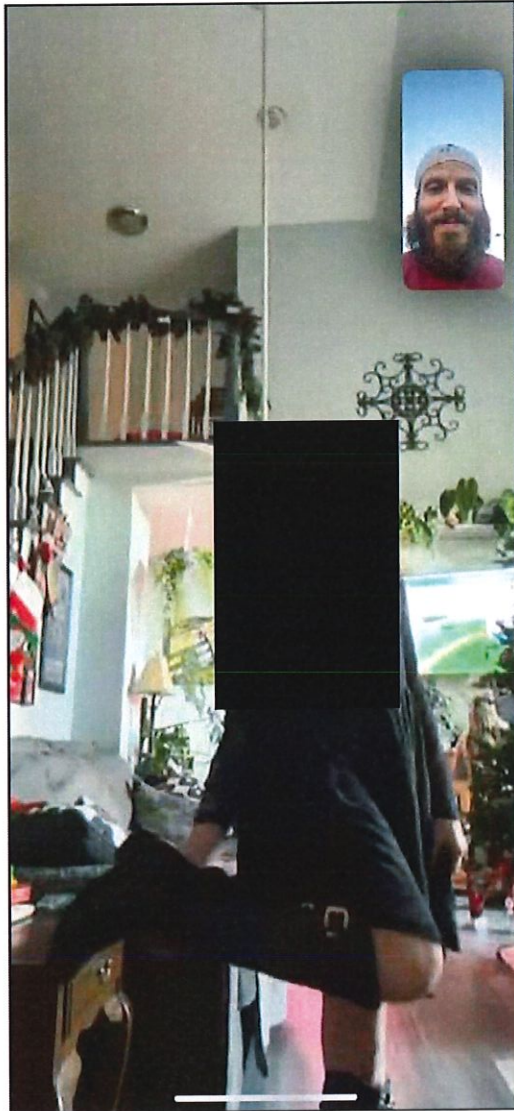
Sub Total	\$181.00
Shipping & Handling to 27574	\$9.95
Tax	\$12.89
Order Total	\$203.84

ScreenShot taken from video showing home security cameras with floor color/ wall colors/ and various house plants
1242721-CLOUDPHOTOLIBRARY-16143819\1792333594\1242721\slckrick0084@yahoo.com-
1242721\cloudphotolibrary_PersonalLibrary



Picture (IMG_9573): 1242721-CLOUDPHOTOLIBRARY-16143854\1792333594\1242721\slickrick0084@yahoo.com-1242721\cloudphotolibrary_PersonalLibrary

Showing plants and wall color (Juvenile redacted).



CONCLUSION

33. Based on the aforementioned information, I respectfully submit that there is probable cause to believe that a violation of Title 18 U.S.C. § 922(o) [Unlawful Possession of a Machinegun] has been committed by Richard Eugene MOORE. I also submit there is probable cause to search the Target Location described in Attachment A for evidence, instrumentalities, contraband, and/or fruits of this crime further described in Attachment B.

REQUEST TO SEAL

34. This criminal investigation is ongoing and not publicly known. ATF contemplates additional interviews, subpoenas, and possible grand jury testimony of witnesses. Disclosure of the contents of this affidavit could seriously impede the continuing investigation and jeopardize potential prosecution by prematurely disclosing the details of the United States' investigation. The disclosure of these documents could potentially cause subjects of the investigation to flee, destroy evidence, or intimidate and attempt to corruptly influence potential witnesses in the case. Accordingly, I respectfully request that the Court issue an order sealing this search warrant application and affidavit until further order of this Court, with the exception that a copy of the search warrant will be left at the scene of the search location and a copy will be used by law enforcement as part of the execution of these search warrants and the continuing investigation.

35. On or about November 13, 2024, I confirmed that Richard Moore continues to reside at the Target Location.

Respectfully submitted,

/s/ Thomas J. Laughlin

Special Agent Thomas J. Laughlin
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means (telephone), was placed under oath, and attested to the contents of this written affidavit. November 14, 2024 12:47 p.m.



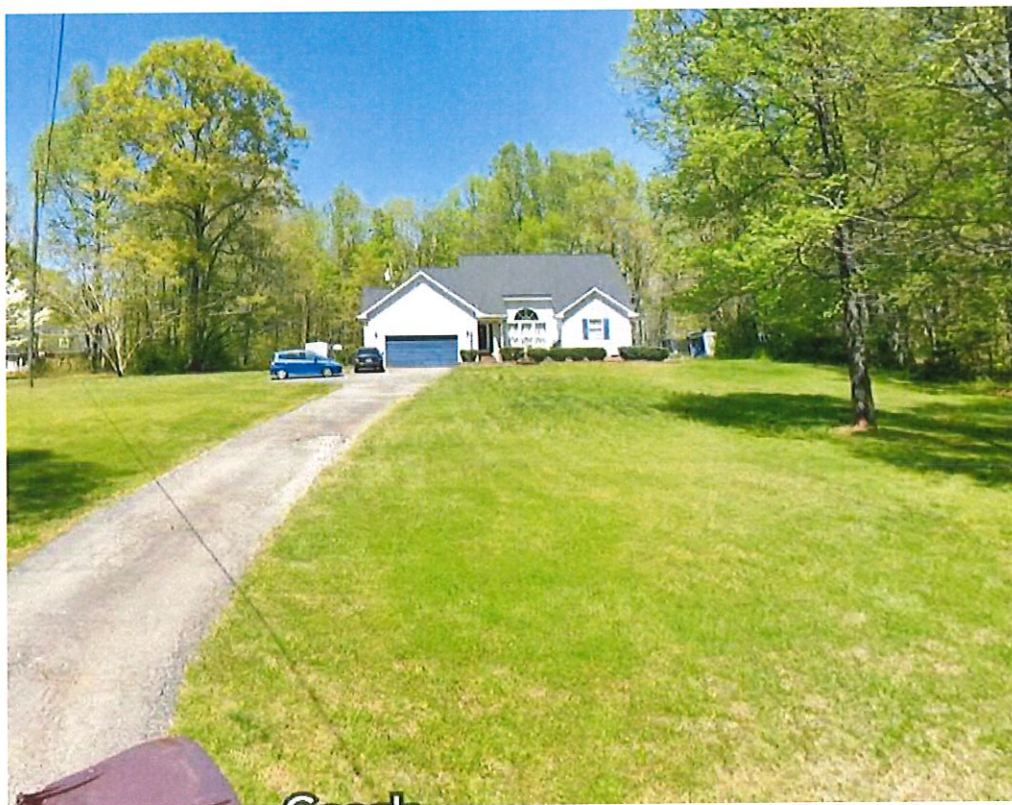
Honorable Joe L. Webster
United States Magistrate Judge
Middle District of North Carolina

ATTACHMENT A

Property to Be Searched

1139 Lawson Chapel Church Road, Roxboro, North Carolina 27574

The Target Location is a residential address located at 1139 Lawson Chapel Church Road, Roxboro, North Carolina 27574, within the Middle District of North Carolina. The residence is a two-story structure with white siding, blue shutters, and a blue garage door. The following is a photograph of the premises to be searched:



ATTACHMENT B

“Items to be seized”

The following materials, which constitute evidence of the commission of a criminal offense, contraband, the fruits of crime, or property designed or intended for use or which is or has been used as the means of committing a criminal offense, namely, violations of Title 18 U.S.C. § 922(o) [Unlawful Possession of a Machinegun] in the form of the following:

- a. Any unregistered firearm (where registration is required by Title 26 of the United States Code), to include but not limited to short barrel rifles, silencers, Any Other Weapons, machinegun conversion devices, and machineguns.
- b. Any tools and/or equipment associated with the manufacture of firearms and machinegun conversion devices, including but not limited to 3-D printers, polymers, filament, drills, drill presses, lathes, welding equipment, jigs, hack saws, power saws, templates, diagrams, instruction manuals, pamphlets, and/or other tutorial material regarding the manufacture of firearms.
- c. Any computer numerical control (“CNC”) machines and/or computers/parts/tools associated with the use and/or association of the manufacturing and/or modifying of firearms, firearm parts, frames/receivers (and firearm blanks of any kind) machineguns and/or machinegun parts including but not limited to templates, cutting programs, diagrams, instruction manuals, pamphlets, or other tutorial material regarding the manufacture of firearms.
- d. Any items pertaining to the ownership or control of firearms, firearm parts, or firearm ammunition, including but not limited to; firearm transactions records relating to the receipt, purchase, transfer, possession, sale, or transportation of firearms; photographs

and/or videos of firearms, firearm parts, and firearm ammunition; documents which relate or refer to firearms; bills of sale which relate to firearms; and receipts and/or invoices which relate to firearms.

- e. Personal books, papers, and receipts reflecting names, addresses, telephone numbers, and other contact or identification data relating to the acquisition and/or distribution of firearms.
- f. Receipts, invoices, notes, ledgers, bill-of-sales, and/or any record keeping documents relating to the acquisition and distribution of firearms or firearms parts, and/or tools or equipment associated with the manufacture of firearms.
- g. Shipping records, shipping containers and/or boxes, and invoices relating to the purchase or shipment of firearms.
- h. Rental or lease agreements for storage units, safety deposit boxes, other storage locations, keys, combinations, and/or access codes for them.
- i. Indicia of occupancy, residency, and/or ownership of the premises, including, but not limited to: financial income statements, documents, utility bills, telephone bills, property receipts, loan payment receipts, rent receipts, trust deeds, lease or rental agreements, escrow documents, statements, identification documents, keys, and bank account records.
- j. Any safes, vaults, locked cabinets, and/or other secured containers and/or devices at the locations and in/on vehicles on or within the premises. (Law enforcement shall be permitted to open such locked containers by force or by a locksmith if necessary).
- k. Any computer equipment or digital devices that are capable of being used to commit or further the crimes described in the attached affidavit, or to create, access or store evidence, contraband, fruits or instrumentalities of such crimes, including: central processing units,

laptop or notebook computers, tablets, and wireless communication devices, including mobile telephones, cellphones, and smartphones. (Law enforcement shall be permitted to search these devices)